

Indiana Bike Trails Task Force

June 20, 2018

Meeting Notes

The fourth meeting of the Indiana Bike Trails Task Force occurred on June 20, 2018 at approximately 10:00 am at the Indiana State Library, in Indianapolis, Indiana.

Kyle Hannon provided a welcome to the group and asked all members to identify themselves and the organization they represent.

Meeting attendees included, Kyle Hannon (Chairperson), Paul Grayson (Vice Chairperson), Pete Fritz (Representing ISDH Commission Dr. Kristina Box), Andrew Forrester, Rep. Carey Hamilton, Rep. Wes Culver, Mitch Barloga, Dean Peterson, Bruce Kimball, Kara Kish, Jeff Smallwood, Vince Griffin, Rebecca Holwerda, Justin Schneider, Jay Mitchell (representing INDOT Commissioner Joe McGuinness), Amy Marisavljevic (representing DNR Director Cam Clark), and Noelle Szydlyk. (representing IOTD Executive Director Mark Newman).

HOUSEKEEPING ITEMS

Before getting the committee reports started, Noelle Szydlyk requested the meeting minutes from March be reviewed and approved. Jeff Smallwood made a motion to approve. Rep. Wes Culver second the motion. The motion to approve the minutes carried.

SAFETY SUB-COMMITTEE REPORT

Safety Sub Committee recommendations and review provided by Pete Fritz of ISDH.

The Safety Subcommittee met on May 23 at Fort Harrison State Park. Meeting notes were provided in the packet of materials to all task force members. Pete provided a brief overview of what was presented at the last task force meeting as well as what was reviewed in more detail at the last subcommittee meeting in May (refresher). The sub-committee met in May to review the state and national issues regarding bicycle safety and to make recommendations based on those issues. Subcommittee also reviewed a report of trends at the national level and other best practices. Pete commented that he interviewed Nancy Tibbett with Bicycle Indiana to understand what issues and trends that advocacy group was following.

Fritz provided an extensive overview of what reports were reviewed by the subcommittee. These reports included the existing state code bicycle regulations under IC 9-21. Locally adopted bicycle regulations that are known to exist across the state were also discussed. In addition, the 2012 Bicycle Indiana Bicycle Collision Report funded by the Indiana Criminal Justice Institute (ICJI) was reviewed by the subcommittee. Through this discussion, Fritz noted that the group saw a need to clarify the role that ICJI, INDOT and ISDH can play in funding and conducting bicycle crash research. Bicycle Indiana's role needs to be clarified also.

As was mentioned, the group discussed the safety recommendations that were presented at the last Task Force meeting (March) and prioritized the recommendations based on those that the group thought were most important to bring to the next Task Force meeting. The group agreed that any safety recommendations need to be consistent with those of other states and reflect emerging best practices and standards. The group also generally agreed that protected or separated bikeways are preferred, where possible, as they attract a wider range of bicycle riders than unprotected bikeways. The following

safety recommendations were agreed upon as well as recommendations for programs that are needed to instill a culture of safe bicycling in Indiana.

Three recommendations are for new or clarified state laws:

- Adopt a statewide safe passing law (3-foot passing requirement)
- Adopt a statewide complete streets policy
 - Also increase awareness of bikeway design best practices through training and promotion.
- Clarify e-bike laws in state statute

Three recommendations are for proposed safety programs or practices:

- Provide bicycle safety education in elementary and middle schools.
 - There is a need for Indiana Department of Education approved state curriculum with dedicated funding for statewide partners to assist.
 - Young people are not learning how to ride bikes properly.
 - There is good case study across the country where this is being done and where it is effective.
- Provide regular tracking and updating of bike crash data statewide.
 - There is a need for a statewide protocol for consistent reporting of bicycle crashes.
 - Last study was done in 2012.
- Training of police and law enforcement regarding bicycle safety.
 - Provide consistent ongoing training across the state.
 - Some communities are doing a great job, but there is not a state wide push.
 - There is a national training program for bike patrol training that is very robust and good, but it isn't something that is required. It is all done on a community by community basis.

SAFETY SUBCOMMITTEE RECOMMENDATION DISCUSSION

Kyle Hannon shared the line item in our legislative structure that requires the task force to provide a list of recommendations on bicycle safety to the legislature. List of recommendations was provided in writing to the group.

Jeff Smallwood showed concern for the education and the buy-in from the Indiana Department of Education. Jeff mentioned that this would be hard and that there would be push back from the schools to be given new curriculum that they have to work into the classroom. His recommendation might be to provide a one sheet per age level of the children that can be distributed to parents via the school that would need to be integrated at home.

Paul Grayson explained that this education program would hopefully be an IDOE program and meet state standards for physical education so schools can use it or not. Easier to implement if the standards are identified in advance and the curriculum is provided for teachers. He also offered a thought to certify physical education teachers on bicycle safety.

Dean Peterson mentioned that Indiana is now certified as a National Interscholastic Cycling Association – just certified as a state that participates– may be an avenue for participation and education. This is more of an afterschool program rather than an in school program through physical education. This association is an advocate for bicycling education and may be a way to get the information to the schools.

Kyle Hannon shared again the need for dedicated funding for a program like this because if it is elective and it has a cost. With expenses, schools would be more reluctant to participate. Pete Fritz added that there is funding out there for these types of programs as well as information available to parents, but isn't statewide yet.

Amy Marisavljevic commented and opened discussion regarding the safe passing law. She shared that we are the only state within our surrounding states that does not currently have a safe passing law. Vince Griffin asked if there was a chance that safe passing became a federal law. Jay Mitchell responded that he didn't feel that transportation had anything in the plans.

Kyle Hannon asked if there were any concerns about the items on the recommendation list.

Dean Peterson shared that there are many hundreds of kids, especially in Central Indiana, that don't know how to ride a bike, but more importantly don't have access to a bike or own one. Dean stressed that the group should be sensitive to this fact if they intend to take a program into the schools. The equipment may need to be provided as well.

Justin Schneider asked how specific items that may come up in the legislature will be addressed. They like to play devil's advocate and identify ways to put holes in the information. Justin used an example on the idea of 4 people riding side by side in one lane of traffic. Who is doing the enforcement? This is the type of question that someone needs to be ready to answer if there is a plan to present this to the legislature.

Amy Marisavljevic shared information regarding technology that is available to enforce a 3 foot passing law, but not every local law enforcement group will have access or the funding to gain access to this type of technology. Thought is that over time this will decrease in cost to obtain. For now it is out there and can be accessed.

Kyle reiterated the issue of enforcement of the law (if made) and education of law enforcement as to how to do it.

Wes suggested that a meeting or conversation be reviewed by the legislature, governor, and speaker of the house to determine who would support the items needing legislative approval. If the Bike Trails Task Force really wants to pass a law, they would need high level legislative support. Hardest step in the process is actually getting a law moved forward.

Rebecca Holwerda provided support and shared that an agency, senator or representative needs to support it and provide the request in their letters that go to the governor on July 13. That could go through transportation, tourism, etc. They look to the local representatives to draft legislation.

Amy Marisavljevic shared that the varying recommendations might fall to many different agencies or areas due to the fact that some are focused on road/INDOT related and others are more trail or law enforcement related. All would be directed to different codes or different agencies for support.

Kyle Hannon called for a motion to vote of the safety recommendations. Jeff Smallwood provided a motion. Bruce Kimball seconded the motion. The task force voted and the motion carried. This list of recommendations will be provided in the Bike Trails Task Force Mid-term Report. (The report is available online).

Kyle Hannon moved on in the agenda to the next item related to review of the funding sub-committee meeting from May.

FUNDING SUBCOMMITTEE UPDATE

Amy Marisavljevic provided a quick update of the discussion and the inclusion of the list (pink sheet in the packet) that was required as part of our deliverables. This list will be included in the mid-term and final report and posted on the trails task force web page. The list that was due in Q2 was specific to the options or ideas for potential funding. It provides contacts as well as possible funding sources that could be given to those looking to find trail funding.

At the May subcommittee meeting, the funding committee came up with a short list of methods and strategies that the committee felt would work in Indiana and that we should further review it to allow others to provide feedback. A variety of states with differing models for funding were reviewed.

- Public Private Partnerships
- Sporting Good Sales Tax – not a new tax, just taking the current sales tax and carving the amount taxed on sporting goods and putting that into a fund for trails or outdoor recreation. Being done in Texas.
- Bonds – Ohio uses a mode for this.
- Sin Tax (Sports Gambling)
- Real Estate Transfer tax – this would be a new tax as we do not currently have this in Indiana. This is a very popular way for states to raise funding for trails.
- General Appropriations – usually a smaller amount or a one-time fund.
- Royalties Model (telecommunications or renewable energy on public land) – currently a strategy used by Michigan.
 - Pete Fritz brought up the idea of pulling royalties from the telecommunications companies that build below trails (fiber optics) that would allow for fund to assist in the upkeep.

Listed in order of most feasible or important to the sub-committee

Funding strategies

- Strategically partnering with other interests. This strategy could include working with parks, conservation, agriculture, clean water, cultural or tourism issues, etc. Most importantly working together rather than separately.
- Focus on existing trail funds on specific projects to create a bigger result. This idea involves taking existing funds and focusing them in a different way on a specific project that has a larger impact. This is in contrast to current philosophies of providing a little funding for many projects to spread the wealth. This is currently being used as a strategy in New York State.

Additional ideas were collected from the group and the floor was opened for discussion.

FUNDING SUBCOMMITTEE IDEA AND STRATEGY DISCUSSION

Below is a list of additional ideas that were suggested by a multiple task force members.

1. User Fee – To be paid by people that use the trails. (This was discussed briefly at the sub-committee meeting.) This concept could possibly utilize a sticker that is purchased. This was provided as an alternative funding model. Additional discussion included the idea of an annual membership or a parking fee to the trail head/gateway. Paul Grayson commented that services could be provided for that membership. Services could include Preferred Parking, access to special areas and/or transportation from one end of the trail back to the trail head.
2. Waste Tire Fee – fee that is already paid by those that purchase new tires. This fee was initially instituted by the legislature to cover the cost of old tire removal and recycling. This fee currently goes to something else. Vince Griffin said it could be higher. Currently the fee is \$.25 per tire but could be increased as much as \$2-\$3 per tire.
3. General Waste Disposal (Tipping Fee) – We currently are the lowest in the Midwest and this could be higher. Rep. Carey Hamilton made this suggestion. \$.25 per ton charged for disposal of every ton of trash. Not all this money is being distributed to recycling or for recycling – could be appropriated to trails rather than raising it. Indiana is the lowest in the Midwest.
4. Cigarette Tax - Rep. Hamilton asked if the group discussed the cigarette tax as a possible option. The group was concerned that this fee is continuing to dwindle (less people are smoking and paying the fee) and may not be a viable option.

Amy Marisavljevic conveyed that this list is our best recommendations. Many ideas were discussed, but didn't make the top of the list.

5. Royalty Fees – Justin Schneider provided insight that royalty fees are being looked at by many organizations as possible funding sources. Telecommunications is a big one that is the top of many agencies lists. The challenge is to find a pot of money that is not new, but is not something “everyone” else is looking at. There is also a need something to build momentum within the legislature for the cause. It is important to be able to take these type of ideas and build upon them to have some momentum going into session in January.

Rep. Culver felt this could be transferred to another fund rather than creating a new tax would be more palatable to the Legislature.

6. Adopt a Road Program - Vince Griffin asked about the Adopt a Road or trail program. Dale Briar from DNR provided feedback that those are mostly done at the local level because they are hard to maintain at the statewide level. Also this is more of a maintenance program and not a funding program.

Amy shared that many of the funding items that we reviewed are voter approved vs. legislature approved items. There are items further down the list based on the level of competition for the funding that falls into a particular category.

Justin Schneider asked if they are ballot initiative states where common citizens can bring forward as an item for a vote. He felt this is a critical piece of information. In Indiana this isn't an option. The legislation change has to be brought by the General Assembly. Shared this is something to consider when comparing state to state.

Amy Marsavljevic reminded the group that during the Daniels administration, an allocation was made of \$20 million to fund trails projects. This was a onetime appropriation of funding for shovel-ready trail

projects. This was to facilitate the completion of projects that were planned and ready or started, but needed finishing. DNR facilitated this program and the distribution of funds.

Kyle Hannon asked for further discussion on the current list and if we should remove or keep any specific items. Kyle would like a review of the committee to share their “okay” with the list. He requested the committee add the new items addressed above to the list and complete some additional research before providing the final list of funding alternatives. Amy Marisavljevic offered that this would be reviewed at the next sub-committee meeting.

Noelle Szydyk shared the importance and need of the task force to attend the sub-committee meetings either in person or via phone in order to have the experts in the room. That will allow for more discussion and better recommendations to the full task force.

Kyle went over the list one more time adding in the items that were identified during the group discussion. In addition, Rep Culver would love to have the cigarette tax included because there is a new tax possibly coming and if we could get a small percentage of that it would be helpful. Amy suggested that they would take the updated sleight of recommendations to the next meeting to further review and research. The next Subcommittee meeting of the Fundraising group would prioritize the list and categorize.

Noelle to get the final list from Kyle Hannon for the midterm report. The next subcommittee meetings were determined to occur sometime in August 2018.

Kyle Hannon moved on in the agenda and turned the podium over to Mitch Barloga with the Trail Corridor Subcommittee. Mitch started by introducing himself to the group.

TRAILS CORRIDOR SUBCOMMITTEE UPDATE

Mitch Barloga reviewed the progress of the Trail Corridors committee. He mentioned that we had a very robust session on the trail corridors.

The initial discussion of the committee was to review the deliverables. Mitch shared the process of the committee reviewing what had already been done and done well to make sure we don’t try to reinvent the wheel. Specifically referencing the DNR Visionary Trails program and their progress.

Andy and Greg from DNR outlined what has already occurred and were on hand to answer other questions. The committee also reviewed what constitutes a visionary corridor. Further explanation available in the full Trails Corridor Subcommittee meeting notes provided in the packet. This conversation moved into a further debate of what needs to be included

Mitch shared there was a review of what is happening in other states in order to define a model to follow. His research found that not much is happening. Indiana’s DNR visionary map and plan are more involved than most. Barloga continued the review of the visionary trails map that outlines what is being planned, under construction, waiting on funding, or is needed to create a connection. There are additional maps that show specifically what is done and on the ground.

The Indiana Trails map was also included in the presentation as additional support. These are trails that are everything from in process to build to in conception or an idea. In addition to the two maps and plans, Barloga also reviewed the proposed corridor map for the Northwest Indiana. This is the map that he works from and prioritizes funds for distribution in his area. He feels this process is moving along well

in their region. The Northwest regional map review offered a discussion on the process of prioritizing and what criteria do we want to use to identify corridors. Some areas have high priority because of where they are located, how they are being funded locally, existing property concerns, etc.

Barloga shared that the next step was to develop and determine criteria for determining priority in projects. In Barloga's area of the state he uses a specific plan and criteria for identification of corridors.

The final area of discussion at the subcommittee meeting was branding. There is interest from the group in expanding the visionary trails network to have an identity and give communities that are on it, included in it, something to tie into. Barloga shared that Indiana currently has a workable plan/system, but it has no identity. The group was in agreement that there is a need of something with an Indiana focus that provides connection that communities can aspire to be a part of, etc.

One idea is to create a name and a logo that they can use to show their connection. With the name and identity the trail system expands and has the potential to become more inclusive.

The last discussion point was related to concerns with how we move forward with the criteria development and the branding of the trail system. The trails corridor subcommittee still sees a glaring hole in southwest Indiana. Major population centers that are not connected. There is a need to also identify areas that are out there that have a need (priority) for trail projects or connectivity. One proposed idea is Terre Haute to Vincennes to Evansville, but knowing where and how to get from A to B has not been identified.

Mitch reviewed that there was discussion at the subcommittee meeting about sustaining our BTTF progress. How do we sustain it? Where does this live? This was brought up by Wes Culver. Mitch feels that this logically should rest with DNR, but DNR knows that they are waiting until they are given some kind of marching orders from the Legislature on how to move forward.

Mitch shared that he would use the list that was created at the subcommittee meeting and that it will be reviewed at the next meeting in August. This list would be whittled down, tightened up and made clearer so there are true recommendations. Additionally, more conversation still needs to occur regarding who is going to continue the efforts of the Bike Trails Task Force long term.

Brad Smallwood asked about the redundancy of the overlap with INDOT and what they are already doing with their contractor that has been hired. Brad was concerned and had some confusion as to if the group with INDOT would keep this work of the task force moving forward. Jay Mitchell with INDOT provided an update.

Consultants will be available to the committee as needed and will hopefully be available at the next meeting. The consultant group is tasked with developing a plan regarding bicycle and pedestrian travel. The consultants will most likely attend meetings as well as subcommittees as possible. The consultant's contract is for 24 months. The consultants will be looking at a bike trails in the context of a broader review of pedestrian and non-motorized infrastructure needs. The consultants will be following up or addressing the committee regarding safety, development and design and other elements regarding any trail development.

Amy Marisavljevic showed an example of how you can pull everything together into a larger branded group, logo, etc. She outlined the possibility of Indiana being part of the Rails to Trails conservancy

project. Cincinnati is currently working on this program and has some examples of the how everything can be organized and modeled. This includes connecting major destinations, who is providing the marketing, etc.

Kyle provided wrap up to the conversation on the corridor meeting – also provided a focus of items that will be part of the discussion for the next sub-committee meeting.

Andrew Forrester commented that he liked the idea of identifying a corridor and vision, but allowing the communities how to get there is best as they know what is best for their area.

NEW BUSINESS

Kyle Hannon commented that we are closer to reaching that actionable concept of connecting trails, but that we are not quite there yet. He addressed the group to ask if we think we are on the right track. Rep Culver did agree that we are getting closer, but there is still work to do.

Subcommittee meeting dates – Amy Marisavljevic will work to determine the date and do all of them on the same day in August prior to the September 19 meeting.

Midterm Report – Szydlyk discussed report in their packet, why it was done and who it would be distributed to. The report will be given to the Governor and the Lieutenant Governor's offices. It would also be posted online on the BTTF web page so the public has access to review. Everyone is encouraged to review and provide comment to Noelle by the following Friday. Early the following week the corrected version will be sent via email to the full task force.

Remaining Meeting Dates - Noelle Szydlyk addressed the remaining meeting dates on the 2018/2019 calendar. These were chosen based on the calendar. Times will and locations will be finalized moving forward. Safety has submitted their recommendations so they are no longer required to meet.

NEXT STEPS

Kyle Hannon moved forward on the agenda to Next Steps. As part of the next steps he asked the committee to keep in mind how do we move forward post June 19, 2019. He also wanted to make sure people are keeping the actionable steps in mind.

Vince Griffin asked if we are planning to ask of the next legislative session. Kyle Hannon asked Rebecca Holwerda how we proceed moving forward. She suggested we make an announcement of the recommendations and look for support from an agency or legislators. The response from Hannon was that he isn't sure if we have the ability to take something directly to a legislator.

Recommendation was made to create a one page "official" document to send to the Governor's office regarding the recommendations. Kyle will draft an official signed memo of the Safety Recommendations that will be signed by him and the safety subcommittee chair and submitted to the appropriate individuals.

The committee was encouraged, but not required to stick around for a post meeting presentation by the Rails to Trails Conservancy.